

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:

BED BATH & BEYOND INC., et al.,
Debtors.¹



Order Filed on August 29, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Chapter 11

Case No. 23-13359 (VFP)

(Jointly Administered)

**ORDER REGARDING APPLICATION TO SHORTEN TIME PERIOD FOR NOTICE,
SET HEARING AND LIMIT NOTICE**

The relief set forth on the following pages, numbered two (2) and three (3), is hereby **ORDERED**.

DATED: August 29, 2023

A handwritten signature in black ink, appearing to read "Vincent F. Papalia".

Honorable Vincent F. Papalia
United States Bankruptcy Judge

¹ The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.'s principal place of business and the Debtors' service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

"Stockholders") of equity interests in Bed Bath And Beyond's Common Stock for a reduction of time pursuant to Fed. R. Bankr. P. 9006(c)(1) for a hearing on Bed Bath And Beyond Common Stock Equity Interest Holders' Motion (the "Motion") Pursuant To 11 U.S.C. § 105(a), Fed. R. Civ. P. 60(b), And Fed. R. Bankr. P. 9024, for an Order Vacating The Order (I) (A) Conditionally Approving The Adequacy Of The Disclosure Statement, (B) Approving The Solicitation And Notice Procedures With Respect To Confirmation Of The Plan, (C) Approving The Forms Of Ballots And Notices In Connection Therewith, and (D) Granting Related Relief, and the Debtors having filed an Objection thereto, noting that the Application would be on less than 24 hours notice and that the Motion may be treated as an objection to final approval of the Disclosure Statement and confirmation of the Debtors' Plan, it is hereby

ORDERED as follows:

1. The application to shorten the time period for hearing on the Motion to less than 24 hours is denied as inconsistent with Due Process and fundamentally unfair and impractical.

2. A hearing will be conducted on the Motion on **September 12, 2023 at 2:30pm** in the United States Bankruptcy Court, for the District of New Jersey, Newark Vicinage, at the Martin Luther King, Jr. Federal Building, 50 Walnut Street, 3rd Floor, Newark, New Jersey 07102, before the Honorable Vincent F. Papalia, United States Bankruptcy Judge, in Courtroom 3B. This is the same date and time as the Hearing on the final approval of Debtor's Disclosure Statement and Confirmation of their Plan and the Motion will be treated as an objection to such final approval and confirmation.

2. The Applicant must serve a copy of this Order, and all related documents, on the following parties: Counsel to the Debtors, Counsel to the Official Committee of Unsecured Creditors, Counsel for the ABL Lenders and DIP Lenders and the U.S. Trustee

by

☒ each,

☐ any of the following methods selected by the Court:

☐ fax,

☒ overnight mail,

☐ regular mail,

☒ email (if known)

☐ hand delivery.

3. The Applicant must also serve a copy of this Order, and all related documents, on the following parties:

by ☐ each, ☐ any of the following methods selected by the Court:

☐ fax, ☐ overnight mail, ☐ regular mail, ☐ email, ☐ hand delivery.

4. Service must be made:

☐ on the same day as the date of this order, or

☒ within 1 day(s) of the date of this Order.

5. Notice by telephone:

☒ is not required

☐ must be provided to _____

☐ on the same day as the date of this Order, or

☐ within _____ day(s) of the date of this Order.

6. A *Certification of Service* must be filed prior to the hearing date.

7. Any objections to said motion/application identified above:

☒ must be filed with the Court and served on the Movants and any other parties in interest by electronic or overnight mail by September 7, 2023.

☐ may be presented orally at the hearing.

8. ☒ Court appearances are required to prosecute said motion/application and any objections.

☒ Parties may request to appear by phone by contacting Chambers prior to the return date.